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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,546	07/30/2003	Yu-Hung Sun	LITP0005USA	1545
27765 7590 01/16/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER	
			DINH, TAN X	
			ART UNIT	PAPER NUMBER
			2627	
SHORTENED STATUTORY P	PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
3 MONTHS		01/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary Total MulLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply	•	Application No.	Applicant(s)				
TAN X. DINH 2627		10/604,546	SUN ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Edentions of time may be exhibited under the providence of 37 CFt 1:18(a). Into event, however, may a neigh be timely filled in the major of time major and a statutory paid will apply and will expire 31X (8) MONTHS from the malining date of this communication. If NO patrol for reply is specified above, the maximum statutory paid will apply and supply and supply the state of the communication. Pallus to repeat which the side of the communication, even if timely filled, may reduce any evener potentium analysis. Set 27 CFt 1:19(3). Apply reply received by the Status. 1) □ Responsive to communication(s) filled on 22 November 2006. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) is/are objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) □ All b) □ Some * c) □ None of: 1	Office Action Summary	Examiner	Art Unit				
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1) The amendment filed 11/22/2006 is acknowledged.

2) The drawings were received on 11/22/2006. These drawings are acceptable by the Examiner.

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3) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- 4) (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 5) Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by HAN (5,633,840).

The rejection of claims $1\,and\,2$ in previously Office action is repeated herein.

6) Claims 1-7 are further rejected under 35 U.S.C. 102(b) as being anticipated by MAEDA (JP, 08-096,533).

The rejection of claims 1-7 in previously Office action is repeated herein.

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7) Applicant's arguments filed 11/22/2006 have been fully considered but they are not persuasive.

First, applicant states that "The Han patent does not teach that the pickup head module is moved toward a spindle motor according to a gradually decreasing speed curve, and therefore fails to teach all of the limitations of independent claim 1. Claim 2 is dependent on claim 1, and should be allowed if claim 1 is allowed ". As indicated in last Office action, figure 3 of HAN shows the optical disc drive move the optical pick-up toward spindle motor (center of the optical disc) in decreasing speed and stop at initial position to read TOC information (steps 101,102,103 and 104). For that reasons, claims 1 and 2 still anticipated by the reference of HAN.

Second, applicant states that "The Maeda patent does not specify the speed at which the pickup head module moves, and fails to teach that the pickup head module is moved toward a spindle motor according to a gradually decreasing speed curve,". The principle of optical disc drive operation is that when the optical disc drive turn on, the optical pick-up move from outer peripheral to inner ring to look for TOC (spindle motor) at initial position, when the optical pick-up approaches the spindle motor area (TOC area) its speed is reduced and stop at the initial position. The optical disc drive of Maeda must perform this function in order to read and write

information data from the optical disc, therefore, the features as claimed in claims 1-7 are included in Maeda's optical disc drive.

For that reasons, the claims are still rejectable as shown above.

8) THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9) Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAN XUAN DINH whose telephone number is (571)272-7586. The examiner can normally be reached on MONDAY to FRIDAY from 8:00AM to 5:30PM.

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The FAX phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov/. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAN DINH PRIMARY EXAMINER

January 10, 2007